

Namibia

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Freedom of the Press

Namibia's constitution guarantees freedom of the media, and its press enjoys a relatively open environment. However, constitutional protections for national security, public order, and public morality provide legal grounds for restricting media freedom. Defamation is a criminal offense under common law. In July 2013, former president Sam Nujoma sued the newly established independent weekly *Confidante* for defamation after the paper published a story in May alleging that Nujoma's herd of cattle was going to graze at a military base's farm. Nujoma filed the suit even though *Confidante* published a retraction and an apology on its front page. The case had not been resolved at the end of the year. Also in 2013, a court tried a case in which Minister of Works and Transport Erkki Nghimtina had sued the weekly *Informanté* and its former editor, Max Hamata—the current editor of *Confidante*—along with the paper's owners for defamation over a 2010 article in which it accused him of using his position to aid his mother-in-law. A decision in that case was also pending at year's end.

There is no law to ensure access to information, and the 1982 Protection of Information Act serves to limit the information that can be disclosed by government officials. In August 2012, Information Minister Joel Kaapanda indicated that the government was moving toward adopting an access to information law. His statement coincided with the launch of a civil society campaign to push for the passage of such legislation. However, no law had been passed as of the end of 2013.

Self-regulation of the media sector has developed slowly. The Editors' Forum of Namibia was created in 2007 and abides by an internal code of ethics. A media ombudsman, established in 2009 to hear complaints against media practitioners, acts independently of the government; it resolved 7 of the 15 complaints filed in 2013. In May, government officials suggested that statutory oversight of the media could be necessary, especially during the period of the 2014 elections.

Some journalists and editors, especially at the state-run media, practice a degree of self-censorship. Because there are no restrictions on internet content, many publications and organizations voice criticism of the government online. However, the 2009 Communication Act includes a clause that allows for the interception of e-mail, text messages, internet banking transactions, and telephone calls without a warrant.

In previous years, the government and leaders of the ruling party, the South West Africa People's Organization (SWAPO), issued harsh criticism and even threats against the independent press, and called for the establishment of an official council to regulate the activities of the media. Fewer such incidents have been reported in recent years. In January 2012, Youth Minister Kazenambo Kazenambo hurled racial insults and threatened to assault journalist Tileni Mongudhi during an interview. (Mongudhi is a member of Namibia's ethnic Owambo majority, while Kazenambo is a minority Herero.)

Intimidation and physical attacks against journalists are rare in Namibia. However, in March 2013, Gareth Amos, the editor of the *Namib Independent* community newspaper, was assaulted and threatened by police who were attempting to arrest a journalist at the paper's offices for nonpayment of a traffic fine. Amos took photographs of the attempted arrest and reportedly offered to pay the fine for the journalist, prompting the officers to accuse him of trying to bribe them. The officers ordered Amos to destroy the photos, arrested him on charges of obstructing the course of justice, then took him to the police station and beat him. Amos was later released and the charges were dropped after he agreed not to publish a story

about the encounter.

In an unrelated incident, journalist John Grobler was violently attacked in 2010, allegedly by four prominent businessmen (including Nujoma's son-in-law), all of whom had ties to SWAPO. Charges against two of the men were dropped due to lack of evidence in March 2012. The other two were found not guilty by a magistrate in Windhoek in March 2013.

Namibia is home to five daily national newspapers, including the state-owned *New Era*, as well as five independent weeklies, one biweekly, and about a dozen monthly magazines. There are more than 20 private and community radio stations and three television stations. Private broadcasters and independent newspapers usually operate without official interference. The state-owned Namibian Broadcasting Corporation (NBC) is the dominant player in the broadcast sector and has come under increasing political pressure in recent years. In April 2012, prominent SWAPO members, including Kaapanda and party secretary general Pendukeni Iivula-Ithana, threatened to delay or halt funding for the NBC and *New Era*, claiming that the outlets were not adequately supporting the government's agenda. Later in 2012, the contracts of *New Era* chief executive officer Sylvester Black and founding editor Rajah Munamava were not renewed. Black was replaced in May 2013 with NBC chief news and programming officer Audrin Mathe.

Community radio remains underdeveloped, and the high cost of television licenses limit the expansion of that medium. Printing and distribution costs for print media also remain relatively high. *Confidante* has increased its circulation by reaching a deal with a courier service that distributes the newspaper in exchange for advertising. In 2011, the government lifted its 10-year ban on advertising in the *Namibian*, which had been sanctioned for its alleged bias against the government. Approximately 14 percent of the population accessed the internet in 2013.

2014 Scores

Press Status

Partly Free

Press Freedom Score

(0 = best, 100 = worst)

31

(0 = best, 30 = worst)

9

(0 = best, 40 = worst)

12

(0 = best, 30 = worst)

10